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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

RUSSELL PITKIN and MARY PITKIN,
Co- Personal Representatives of the Estate of
MADALINE PITKIN, Deceased,

Plaintiffs,

v.

CORIZON HEALTH, INC., a
Delaware Corporation; **CORIZON**
HEALTH, INC., a Tennessee Corporation;
WASHINGTON COUNTY, a government
body in the State of Oregon; **JOSEPH**
MCCARTHY, MD, an individual; **COLIN**
STORZ, an individual; **LESLIE ONEIL,** an
individual; **CJ BUCHANAN,** an individual;

Case No.: 3:16-cv-02235-AA

**DECLARATION OF JOHN M. COLETTI
IN SUPPORT OF PLAINTIFFS' MOTION
TO COMPEL**

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COLETTI

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LOUISA DURU, an individual; **MOLLY JOHNSON**, an individual, **COURTNEY NYMAN**, an individual; **PAT GARRETT**, in his capacity as Sheriff for Washington County; **JOHN DOES 1-10**; and **JANE DOES 1-10**,

Defendants.

I, John M. Coletti, do declare and state as follows:

1. I am one of the attorneys representing plaintiffs in this matter. I make the below statements based on personal knowledge and am competent to testify to the same.

2. Attached as Exhibit A is a true and correct copy of excerpts from Defendant Corizon's Response to Plaintiff's First Request for Production of Documents.

3. Attached as Exhibit B is a true and correct copy of excerpts from Defendant Corizon's Response to Plaintiffs' Second Request for Production of Documents.

4. On September 6, 2017, I conferred with Corizon's counsel Richard Hansen via telephone and via email regarding outstanding discovery issues and gave notice that plaintiffs would file a motion to compel. Attached as Exhibit C is a true and correct copy of the email I sent to Mr. Hansen.

5. Attached as Exhibit D is a true and correct copy of Corizon's revised privilege log.

6. Attached as Exhibit E is a true and correct copy of excerpts of the Deposition of Debbie Fye, taken on April 24, 2017.

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7. Attached as Exhibit F is a true and correct copy of the contract between Washington County and Corizon. The contract was extended for an additional two-year renewal period, from July 1, 2013 - June 30, 2015, via the Eighth Amendment to the contract, a true copy of which is attached as Exhibit G.

8. Attached as Exhibit H is a true and correct copy Standard J-A-10 of the National Commission on Correctional Health Care.

9. Attached as Exhibit I is a true and correct copy of the Order in *Johnson v. Corizon Health, Inc.*, No. 6:13-cv-01855-TC (D. Or. June 12, 2014).

10. Attached as Exhibit J are true and correct copies of news articles detailing thousands of lawsuits across the nation against defendant Corizon.

11. Attached as Exhibit K is a true and correct copy of a document produced by Corizon, Bates No. CORIZON007174, providing a list of "Claims for Death" against Corizon from 1/1/10 through 4/24/2014.

12. Attached as Exhibit L is a true and correct copy of defendant Corizon's Response to Plaintiffs' Third Request for Production.

13. On October 17, 2017, I conferred with Mr. Hansen via telephone regarding Corizon's refusal to provide documents related to the Board of Nursing investigation and the depositions in the *Johnson* case and gave notice that plaintiffs would file a motion to compel regarding the documents in dispute. Mr. Hansen followed up via email on October 19th confirming that Corizon would not provide the documents. Attached as Exhibit M is a true and correct copy of the October 19, 2017 email communication.

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I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

DATED this 20th day of October, 2017.

/s/ John M. Coletti

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